

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #
DATE FILED: 2/13/2020

UNITED STATES OF AMERICA

- v. -

ANGELA RODRIGUEZ, and
SHAWNDALE LEWIS,

Defendants.

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X

ORDER

20 Cr. 39 (ER)

WHEREAS, the United States of America seeks to provide in unredacted form certain documents pursuant to Rule 16 of the Federal Rules of Criminal Procedure; and

WHEREAS, some material that the Government seeks to provide contains sensitive information, including personally identifiable and financial information about victims in this case; and

WHEREAS, the Government is willing, under the conditions set forth below, to produce such materials;

IT IS HEREBY agreed, by and between the United States of America, Geoffrey S. Berman, United States Attorney, by Samuel P. Rothschild, Assistant United States Attorney ("the Government"), and defendants ANGELA RODRIGUEZ and SHAWNDALE LEWIS, by and through their attorneys, Matthew Kluger, Esq., and Richard Ma, Esq., respectively ("Defendants"), that:

1. Any material reflecting sensitive identification

information (including, but not limited to, names, addresses, dates of birth, Social Security numbers, bank account numbers, driver's license information, and telephone numbers) or sensitive financial information produced by the Government in this action is deemed "Confidential Information" and shall be so identified by the Government.

2. Confidential Information disclosed to Defendants or to their counsel during the course of proceedings in this action:

a. Shall be used by Defendants and their counsel solely for purposes of the defense of this action;

b. Shall be maintained in a safe and secure manner solely by Defendants' counsel, shall not be possessed by Defendants except in the presence of Defendants' counsel, and shall not be disclosed in any form by Defendants or their counsel except as set forth in paragraph 2(c) below;

c. May be disclosed by Defendants or their counsel only to the following persons (hereinafter "Designated Persons"):

i. investigative, secretarial, clerical, and paralegal personnel, or any interpreter or translator, employed full-time or part-time by Defendants' counsel;

ii. independent expert witnesses, investigators, or advisors retained by Defendants' counsel in connection with this action; or

iii. such other persons as hereafter may be authorized by the Court upon motion by Defendants; and

d. Shall either be returned to the Government following the conclusion of the trial of the above-referenced action or upon Defendants' sentencing or upon the conclusion of any appeals, or maintained by Defendants' counsel as required by counsel's duties and responsibilities as counsel, as the case may be, provided that Defendants' counsel shall maintain any Confidential Information in accordance with Paragraph 2(b).

3. Defendants and their counsel shall provide a copy of this Order to Designated Persons to whom they disclose Confidential Information pursuant to paragraph 2(c). Prior to disclosure of Confidential Information to Designated Persons, pursuant to Paragraph 2(c), any such Designated Person shall agree to be subject to the terms of this Order by signing a copy hereof and filing such a copy with the Court under seal.

4. The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial, or sentencing proceeding held in connection with the above-referenced action, or to any District Judge or Magistrate Judge of this Court for purposes of the above-referenced action. However, Confidential Information pertinent to any motion before the Court should initially be filed under seal, absent consent of the Government or Order of the Court.

5. With respect to Confidential Information, any filings with any court shall be governed by Rule 49.1 of the Federal Rules of Criminal Procedure.

6. The provisions of this Order shall not terminate at the conclusion of this criminal prosecution, and the Court shall retain jurisdiction to enforce this Order following termination of the case.

7. This Order may be signed in counterparts and transmitted by facsimile and/or electronic copy, each of which counterparts will be deemed to be an original and which taken together will constitute the Order.

AGREED AND CONSENTED TO:

GEOFFREY S. BERMAN
United States Attorney
for the Southern District of New York

By: Samuel P. Rothschild
Samuel P. Rothschild
Assistant United States Attorney

Matthew Kluger, Esq.
Attorney for Angela Rodriguez

Richard Ma
Richard Ma, Esq.
Attorney for Shawndale Lewis

SO ORDERED:

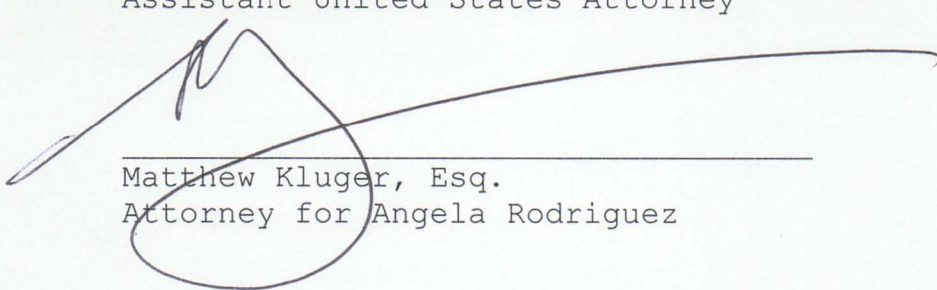
THE HONORABLE EDGARDO RAMOS
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK

7. This Order may be signed in counterparts and transmitted by facsimile and/or electronic copy, each of which counterparts will be deemed to be an original and which taken together will constitute the Order.

AGREED AND CONSENTED TO:

GEOFFREY S. BERMAN
United States Attorney
for the Southern District of New York


By: Samuel P. Rothschild
Samuel P. Rothschild
Assistant United States Attorney



Matthew Kluger, Esq.
Attorney for Angela Rodriguez

Richard Ma, Esq.
Attorney for Shawndale Lewis

SO ORDERED:



THE HONORABLE EDGARDO RAMOS
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK
DATED: February 13, 2020